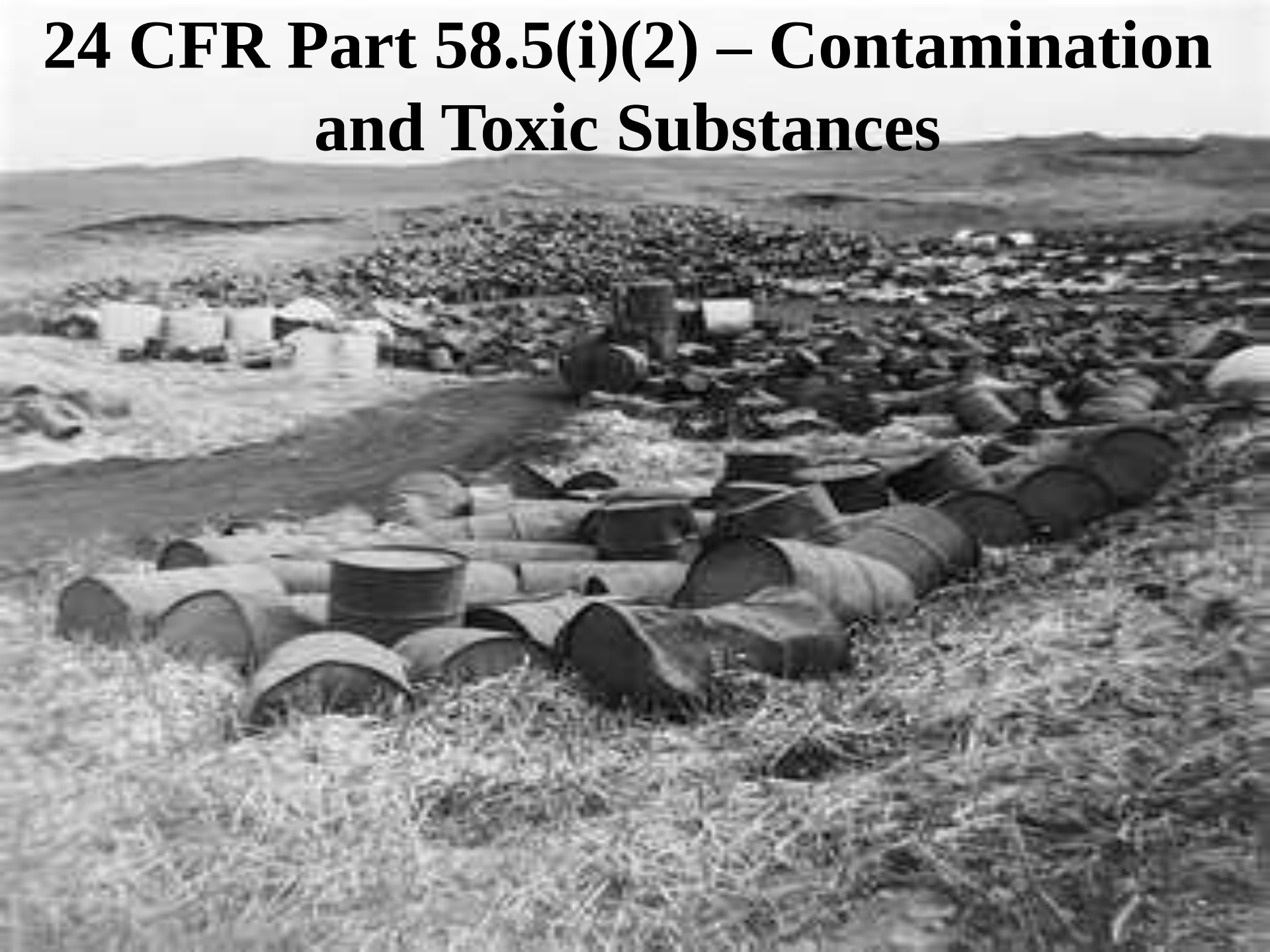
24 CFR Part 58.5(i)(2) – Contamination and Toxic Substances



Outline

- Background
- All Appropriate Inquiry Rule
- Part 58 Requirements
- Evaluating Contamination and Toxics Hazards for Single Family Housing
- Evaluating Contamination and Toxics Hazards for Multifamily and Non-Residential Properties
- Options for Addressing Project Sites When Contamination is Indentified
- Documentation for the ERR
- Lead Based Paint Regulations and Contact Information

BACKGROUND

Why is Considering Contamination Important?

- **Public Health Implications**
  - Cancer, birth defects, and other illnesses of property occupants
- **Liability Considerations**
  - Can be held liable for site remediation as a Potentially Responsible Party under CERCLA
- **Financial Implications**
  - Contamination affects property values
  - Affects ability of borrower to repay loan
  - Foreclosure complications for lender
  - Tenant losses, breaking lease, stigmatization of property

Love Canal Example (1976)

- Development built on a buried canal containing more than 21,000 tons of toxic waste generated from Hooker Chemical Corporation.
- The site was contaminated with polychlorinated bi-phenols (PCBs), Dioxins and Furans, and Benzene
- Contamination was discovered with the emergence of an abnormally high occurrence of cancers, birth defects and other health problems.

- HUD supported the relocation of more than 900 households
- Remedy: Onsite incineration
- **Cost:** $400 million
- Time: 21 years to complete
- Occidental Chemical Corporation paid $129 million to cover the costs

Times Beach Missouri Example (1982)

- St. Louis County road dust control project contaminated the town of Times Beach with dioxin
- The area was flooded and was further contaminated
- EPA closed the small town of 2,200 people.
- Remedy—onsite incineration at a cost of **$110 million**.
- Relocation cost of **$ 30 million.**

Bill Pierce/Time & Life Pictures/Getty Images

http://www.npr.org/2010/12/28/132368362/a-chemical-conundrum-how-dangerous-is-dioxin

HUD's Response….Notice 79-33 September 10, 1979

"In recent months, the awareness of dangers to public health caused by exposure to toxic chemical and radioactive materials and other man-made hazards has increased dramatically. The Department's experience in responding to such problems as the dangers of radiation exposure related to the activities of the Rocky Flats, Colorado plutonium processing facility, as well s the Love Canal problem in Niagara Falls, New York (where toxic chemicals buried years ago are now posing a significant threat to residents in the area), has demonstrated the serious difficulties and great losses that can occur for individuals and the community.

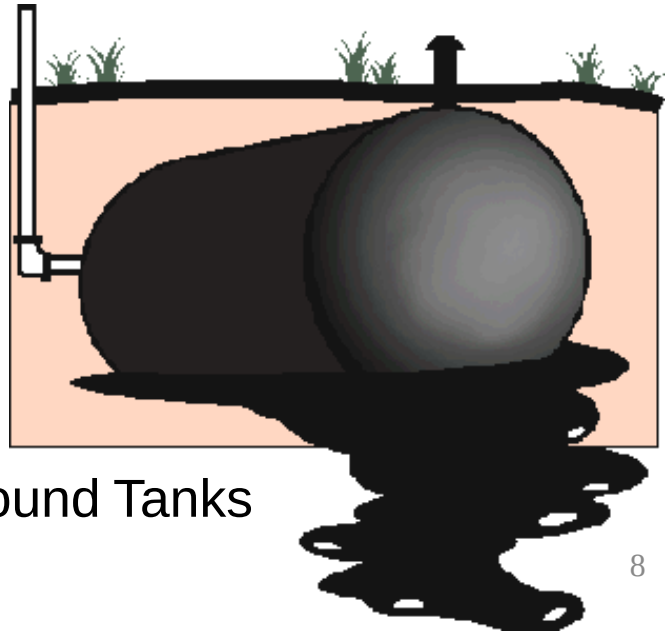
The nature of the Department's programs, particularly our role in ensuring and subsidizing housing units and in providing funds for community planning and development—activities which can be uniquely vulnerable to environmental hazards—mandates a special effort to safeguard the health of the people and the integrity of the programs that serve them. It is critical that the Department make every effort to prevent future exposure of the public by anticipating and avoiding problem locations."

Potential Sources of Contamination

Landfills

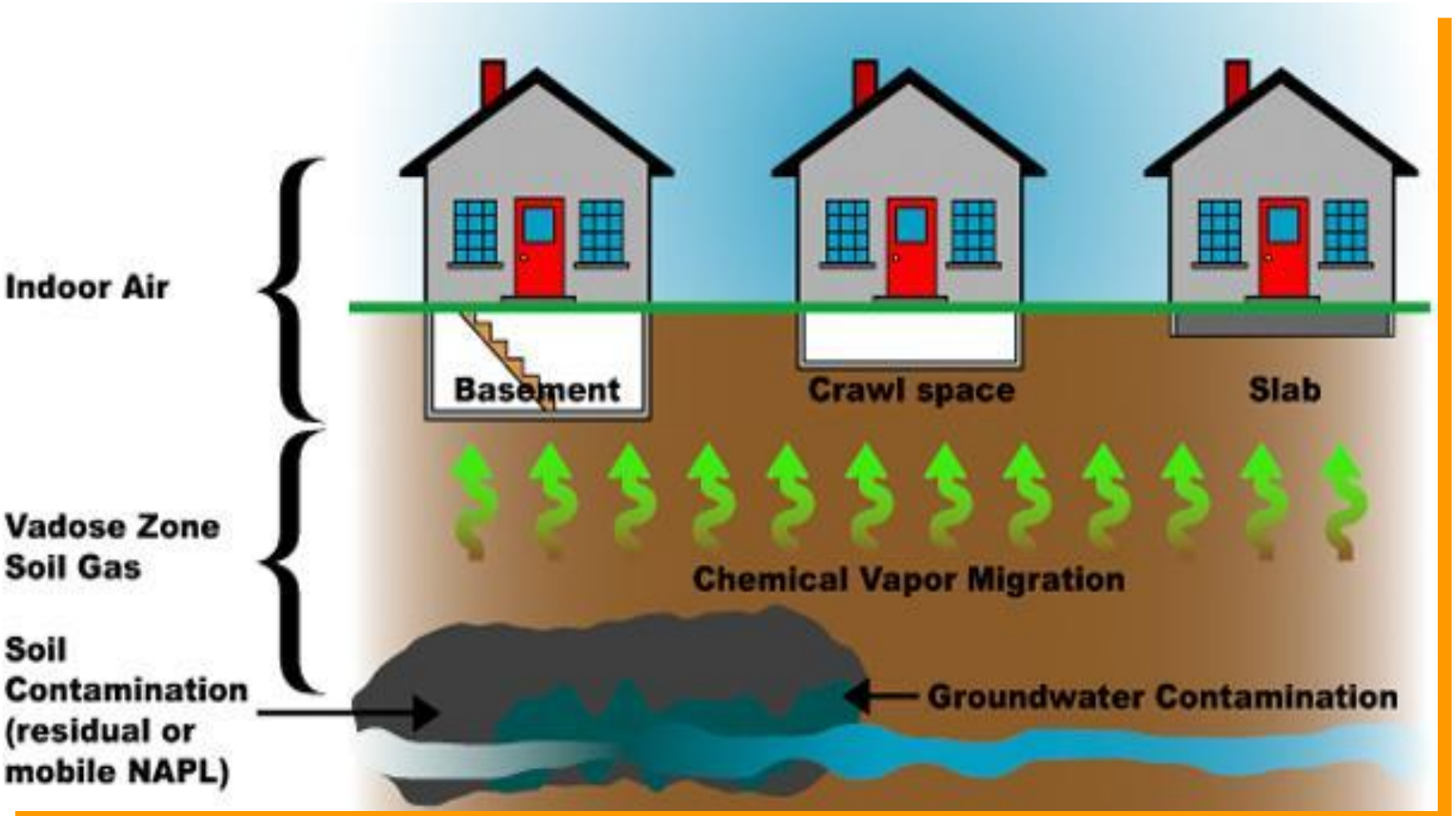
Unexplained dirt piles / mine tailings

Buried Waste



Underground Tanks

Vapor Encroachment



Pollution Sources, Exposure Methods, and Health Implications

Source	Exposure Method	Associated Pollutant	Potential Health Effects
Petroleum Storage Tanks	Vapor Intrusion through floors	Benzene and other solvents	Leukemia, other cancers
Dry Cleaning	Vapor Intrusion, Ambient Air	• Perchloroethylene • Tetracholorethylene	Central Nervous System Effects, Cancer
Agricultural Industries	Onsite or buried pesticide containers	Various Pesticides and Herbicides	Range of effects including acute and chronic neurological effects, cancer, birth defects
Industrial Production Facilities	Air emissions, buried containers, toxic releases	Range of toxic chemicals depending on production process	Range of effects including cancer, birth defects, chronic effects, acute neurological
Meth Labs	Chemical explosions. Inhaled, absorbed through skin, ingested	• Acetone • Lithium • Toluene • Sulfuric Acid • Pseudoephedrine	Fire and explosion hazard, acute and chronic CNS effects, cardiac arrest, lung damage, renal failure, stroke death, developmental toxicity

What is Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)?

- Enacted into law 1980 (Superfund) in response to major site contamination (e.g. Love Canal)
- Primary program for cleaning up the nation's contaminated waste sites
- Actions under the Superfund program are triggered by a release (or threat of release) of a hazardous substance into the environment.

Source: http://www.nationalaglawcenter.org/assets/crs/RL33426.pdf)

CERCLA Programs

1. **Site Assessment.** Identifies sites of concern. Brought to EPA's attention from citizens, state agencies, or EPA Regional offices.
2. **Hazard Ranking System—**risk-ranking of contaminated sites
3. **National Priorities List (NPL)** —most hazardous sites in the nation – currently 1305 sites
4. **Removal Program**-rapid response
   - Not limited to NPL sites
   - Purpose is to stabilize site
   - Maximum one-year effort and $2 million cap on cleanup
5. **Remedial Program--**permanent remedies (e.g. Love Canal, Times Beach)

6. LIABILITY (CERCLA Programs cont.)

- **Potentially Responsible Party** (PRP):
  - individual or company that may have contributed to contamination
- **PRPs may include:**
  - current or former owners of a facility or vessel,
  - current or former operators of a facility or vessel,
  - generators who sent hazardous substances to the site, and
  - transporters who brought hazardous substances to the site.

PRPs Can Be Held Liable

- Even without proof of causation
- Even without proof of negligence
- Regardless of their degree of involvement
- Even if contamination occurred prior to the passage of CERCLA.
- CERCLIS--Comprehensive Environmental Response, Compensation, and Liability Information System —database 46,000 potentially contaminated sites where the responsible party is performing cleanup.

7. BROWNFIELDS (CERCLA Program cont.)

- Brownfield sites are real properties which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- Generally, the federal government is not involved in Brownfields cleanups
  - State and tribal response programs
  - Voluntary Cleanups
  - Revitalization programs

EPA BROWNFIELDS ASSISTANCE

Brownfields Area-wide Planning Pilot Grant
http://www.epa.gov/swerosps/bf/areawide_grants.htm

Brownfields Assessment Grant
http://www.epa.gov/swerosps/bf/assessment_grants.htm

Brownfields Revolving Loan Fund Grant
http://www.epa.gov/swerosps/bf/rlflst.htm

Brownfields Cleanup Grant
http://www.epa.gov/swerosps/bf/cleanup_grants.htm

EPA BROWNFIELDS ASSISTANCE (cont'd)

Environmental Workforce Development and Job Training
http://www.epa.gov/swerosps/bf/job.htm

Brownfields Multi-purpose Pilot Grant
http://www.epa.gov/swerosps/bf/applicat.htm

Targeted Brownfields Assessment
http://www.epa.gov/swerosps/bf/grant_info/tba.htm

Center Of Hope, Dallas
Brownfield Redevelopment
(HUD, EPA, City of Dallas)

Before--Federal Laboratory

After--Transitional Housing & Women Shelter

Skirvin Hotel, Oklahoma City
Brownfield Redevelopment
(HUD, EPA, Oklahoma City)

Before--Interior Asbestos

After

- Loan From RLF Grant
- Historic Hotel
- $66M Leveraged
- Complex Financial Package

8. LANDOWNER LIABILITY PROTECTIONS (CERCLA Programs con't.)

- **Liability protections under CERCLA, as amended (by 1986 SARA & 2002 Brownfield Amendments)**
  - **Innocent Landowner Defense** – Purchaser "did not know and had no reason to know" of contamination at time of acquisition
  - **Contiguous Property Owner** – Purchaser of property impacted by contamination from a contiguous property owned by someone else
  - **Bona Fide Prospective Purchaser** – Purchaser has knowledge that the property is contaminated, but will not be held potentially liable for the cleanup

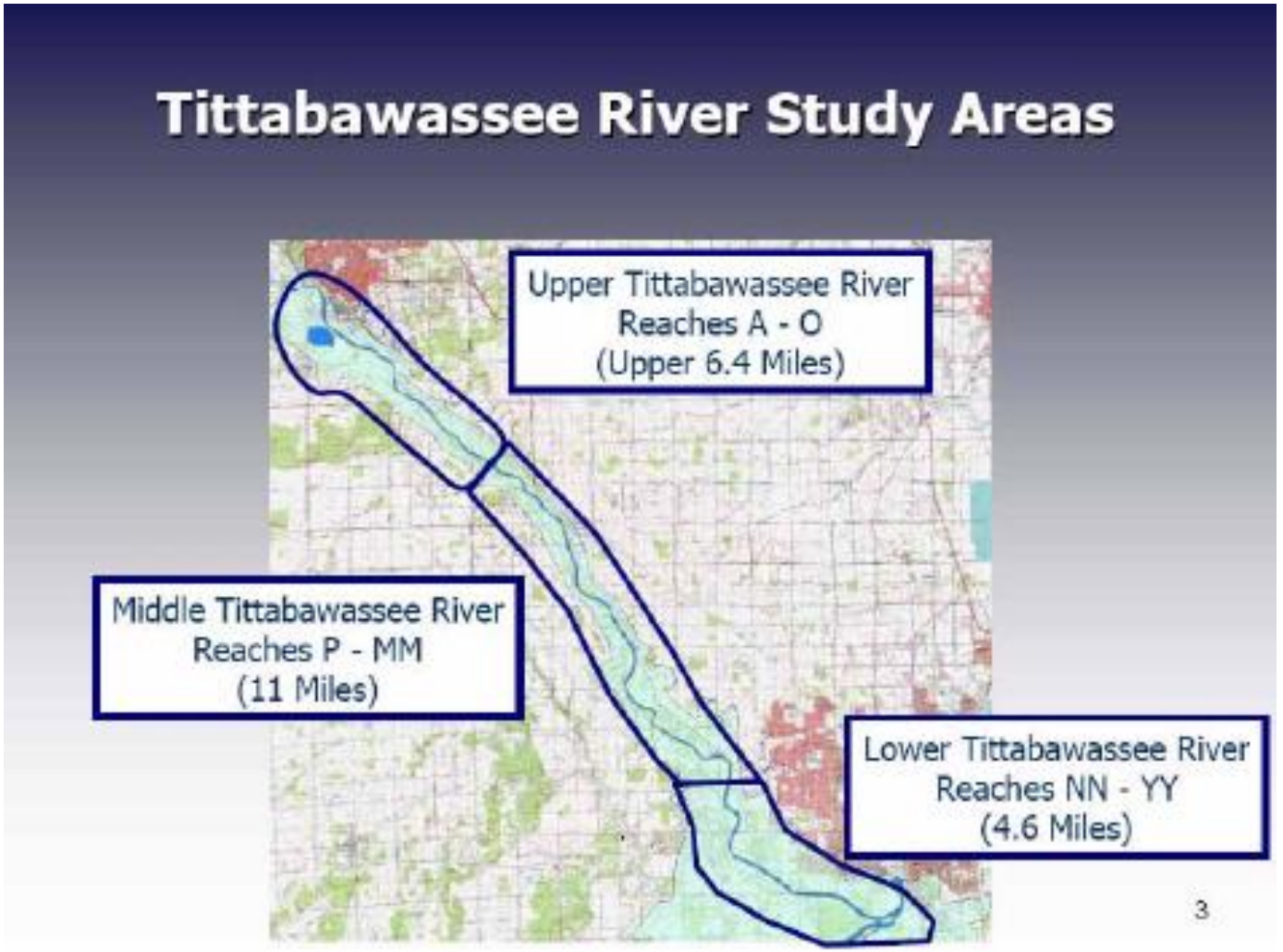
9. EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT (EPCRA) (CERCLA Programs cont.)

- Superfund Reauthorization of 1986
- Annual report of all losses of the chemical through business activities
  - Air emissions
  - permitted and unpermitted water discharges
  - accidental spills and releases
  - hazardous wastes.
- ***Toxic Release Inventory(TRI)*****—**Public information about the 650 toxic chemicals that are being used, manufactured, treated, transported, or released into the environment.

What is Resource Conservation and Recovery Act (RCRA)?

- Enacted in 1976
- Control of hazardous waste from the cradle-to-grave.
  - Hazardous waste generators are the first link in the system
  - RCRA Corrective Action-Generators are compelled to clean up waste
- Control of Underground Storage Tanks--storage petroleum and other hazardous wastes
- Control of non-hazardous waste

Example RCRA Corrective Action: Dow Chemical—Midland Michigan
Dioxin Contamination of Saginaw Bay Watershed



Quantity Determines which RCRA Regulations Apply

Generator	Quantity	Regulation
Large Quantity (LQG)	≥ 1,000 kg/month (approximately 2,200 lbs) > 1 kg/month acute (approximately 2.2 lbs) > 100 kg residue or contaminated soil from cleanup of acute hazardous waste spill	All Part 262 Requirements
Small Quantity (SQG)	Between 100-1,000 kg/month (approximately 220-2200 lbs)	Part 262, Subparts A, B, C (§262.34(d) is specific to SQGs); and Subparts E, F, G, H if applicable; and portions of Subpart D as specified in §262.44
Conditionally Exempt Small Quantity (CESQG)	≤ 100 kg/month ≤ 1 kg acute ≤ 100 kg residue or contaminated soil from cleanup of acute hazardous waste spill	§261.5

ALL APPROPRIATE INQUIRY RULE

AAI Provides a Good Model to Follow in Evaluating the Potential for Contamination

- The AAI process, if followed, is likely to identify the **potential** for contamination.
- Following the AAI rule protects Responsible Entities against CERCLA Landowner Liabilities

All Appropriate Inquiries Includes Evaluation of [Section 312.20(e)(2)]:

- Current and past uses and occupancies
- Current and past uses of hazardous substances, pollutants, contaminants, petroleum and petroleum products and controlled substances
- Waste management and disposal activities
- Current and past corrective actions
- Engineering controls
- Institutional controls
- Adjoining or nearby properties that could have environmental conditions that have or threaten to release hazardous substances, pollutants, contaminants, petroleum and petroleum products and controlled substances to the property

AAI Must Be Conducted by a Qualified Environmental Professional, Defined As:

- Professional Engineer or Geologist with 3 Years of Relevant Fulltime Experience; or,
- Licensed or certified to perform AAI and three years of fulltime relevant experience; or,
- Engineering of science Baccalaureate degree or higher and 3 years of fulltime relevant experience; or
- Ten years of fulltime relevant experience—(HUD's MAP Guide, 9.2.D.1, does not recognize this experience qualification as sufficient)

AAI Must Include:

- Interviews with past and present owners, operators and occupants of the property
- Reviews of historical sources of information
- Reviews of Federal, State, Tribal and Local Government Records
- Visual Inspections of the Facility and Adjoining Properties

Historical Sources of Information

- Aerial photographs
- Fire insurance maps
- Building Department Records
- Chain of Title documents
- Land Use Records Searches for Recorded Environmental Cleanup Liens

Federal, State, Tribal and Local Government Records Search Should Include

- Government records and databases for the property and adjoining property
- Government records and database search for the subject property should include:
  - Reported releases or threatened releases
  - Records, reports and permits indicative of a release or threatened release from:
    - Landfills
    - Storage tanks
    - Hazardous waste handler and generator
    - Federal tribal and state listings of priority clean up sites
    - Spill reporting records
    - CERCLIS records
    - Public health records
    - Emergency Response Notification System
    - List of Engineering Controls
    - List of Institutional Controls

Search Distances for Federal, State, Tribal Government Records [312.26 (c)(1)]

Record	Distance (miles)	Record	Distance (miles)
NPL Sites or Tribal/State Equivalent	1	De-listed NPL Sites	1/2
RCRA Corrective Action Facilities	1	Hazardous Waste Sites (Voluntary Cleanup or Brownfields)	1/2
Leaking Underground Storage Tanks	1/2	Underground Storage Tanks	1/2
Former CERCLIS sites with no further remedial action notices	1/2	Permitted landfills and solid waste management facilities	1/2
List of Institutional Controls	1/2	List of Engineering Controls	1/2
Registered Storage Tanks	Adjoining Properties	RCRA Generators	Adjoining Properties

AAI Evaluation and Documentation

- **Environmental professional must:**
  - Gather Required Information
  - Review and evaluate the thoroughness and reliability of the information
- **Written Report Must:**
  - Identify data gaps and their significance with respect to the ability to identify releases or threatened releases
  - Identify conditions indicative of releases and threatened releases of pollutants, contaminants, petroleum or petroleum products, and controlled substances
  - Environmental Professional's declaration
- **AAI does not require quantification of releases**

AAI Shelf-life

- AAI's must be conducted within one year of the date of property acquisition
- If AAI report is more than 180 days old and less than one year old, the following information must be updated:
  - Interviews
  - Environmental cleanup liens
  - Government records searches
  - Visual inspections
  - Environmental professional's declaration

Industry Standards for AAI Compliance (Section 312.11)

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment (ESA) Process can be used to comply with the AAI requirements
- Reference: American Society for Testing and Materials (ASTM) International Standard E 1527-05 (or later)
- Thus, a Phase I ESA based on current ASTM standards provides coverage for landowner liability protections

PART 58 REQUIREMENTS

24 CFR 58.5(i)(2) Standard

"All property proposed for HUD program assistance shall be free of hazardous materials, contamination, toxic chemicals, gases and radioactive substances where the hazard could affect the health and safety of occupants or conflict with the intended utilization of the property"

Requirements for Evaluating Contamination

- Evaluation must be conducted on **any** proposed site to determine whether it is in the general proximity of dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes.
- Must evaluate previous uses of the site proposed for **multifamily housing or non-residential projects** to ensure there is no evidence of contamination on or near the site.
- Must use **current techniques** conducted by **qualified professionals** as deemed necessary.

EVALUATING CONTAMINATION AND TOXICS HAZARDS FOR SINGLE FAMILY HOUSING PROJECTS

CERCLA Section 101(35)(B)(v)—AAI for Residential Use

- SFH (less than 5 dwelling units)--If purchased by a nongovernmental or noncommercial entity
- AAI is met if:
  - A facility inspection and title search that reveals no basis for further investigation
- HUD does not explicitly require a Phase I ESA for single family properties (1-4 units).

Single Family Housing Contamination Hazards Evaluation Process

Records Search

Site Visit

Evaluate Findings

Available Government Records

- NPL
- CERCLIS
- CERCLIS NFRAP Site List--No Further Remedial Action Planned
- RCRA Correction Action (CORRACTS) Facilities List
- Non-CORRACTS Treatment, Storage and Disposal (TSD) Facilities List
- RCRA Generators List
- Federal Institutional Control/Engineering Control Registries
- ERNS--Federal Emergency Response and Notification System List
- State and Tribal Equivalent Lists of the above
- State and Tribal Registered Storage Tank Lists
- State and Tribal Leaking Storage Tank Lists
- State and Trial Brownfield Sites
- State and Tribal Voluntary Cleanup Sites

Recommended Government Records Search Distances

ASTM Practice E 1527-05 Section 8.2.1.

Standard Environmental Record Sources	Approximate Minimum Search Distance (mi)
Federal NPL Site List	1
Federal RCRA CORRACTS Facilities List	1
Federal Delisted NPL Site List	0.5
Federal CERCLIS List	0.5
Federal CERCLIS NFRAP Site List	0.5
Federal RCRA Non-CORRACTS TSD Facilities List	0.5
Federal RCRA Generators List	Property/Adjoining Properties
Federal Institutional Control/Engineering Control Registries	Property Only
Federal Emergency Response Notification System (ERNS) List	Property Only
State- and Tribal-Equivalent NPL	1
State- and Tribal-Equivalent CERCLIS	0.5
State and Tribal Landfill and/or Solid Waste Disposal Site Lists	0.5
State and Tribal Leaking Storage Tank Lists	0.5
State and Tribal Voluntary Cleanup Sites	0.5
State and Trial Brownfield Sites	0.5
State and Tribal Registered Storage Tank Lists	Property/Adjoining Properties
State and Tribal Institutional Control/Engineering Control Registries	Property Only

Mapping Tools for Identifying Project Proximity to Toxics and Hazardous Sites

- NEPAssist: http://134.67.99.123/nepassist/entry.aspx
- Envirofacts: http://www.epa.gov/enviro/html/data_source.html
- Enviromapper: http://www.epa.gov/emefdata/em4ef.html?ve=16,31.7379512786865,-106.286758422852&pText=11956%20Van%20Gogh%20Dr,%20El%20Paso,%20TX%2079936

Determine if the Project Site ever been used as a ….

- Gas Station
- Car Dealership
- Auto Garage
- Junkyard
- Auto body shop
- Landfill
- Dry Cleaners
- Hospital
- Agricultural Farm
- Tannery
- Commercial Printing Facility

SITE VISIT:
Does the Site Visit Indicate Any of the following Signs of Contamination…?

- Vents, pipes
- Underground storage tank (other than residential fuel tank?
- Distressed Vegetation
- Oil storage tanks

- Questionable containers
- Pits, ponds or lagoons
- Stained soil or pavement
- Pungent, Foul or Noxious Odors
- Dumped Material or Soil, Mounds of Dirt, Rubble, Fill, etc.

Beware if the Property Owner:

- Requires the property to be sold “as is”
- Is reluctant to allow inspection
- Is reluctant to accept a contingency clause
- Is reluctant to disclose information about property
- Is unable to explain price concession
- Is in a hurry to complete the transaction

Compliance is Complete if:

- Government records search show there are **no hazardous facilities within the recommended search distances**
- If there are facilities within the recommended search distance
  - The **site is in compliance with its permit**; or
  - A finding from the facility's government oversight official that:
    - There are no releases or threatened releases the will affect the project site or
    - That the property is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

And

- Title search and other records **did not identify prior uses that could result in site contamination**
- The **site visit did not identify signs of contamination**

An ASTM Phase I ESA is Necessary When:

- Government records indicate a facility within the minimum search distance that:
  - Is not in compliance with its permit
  - Shows a permit violation
  - Government oversight official confirms there is a potential for release or threatened release to the project site
- Other information indicates prior property use that could cause contamination
- Site visit shows indications signs of potential contamination

EVALUATING CONTAMINATION AND TOXICS HAZARDS FOR MULTIFAMILY HOUSING AND NON-RESIDENTIAL PROJECTS

Hazard Evaluation Steps for Multifamily Housing and Non-Residential Properties

- ASTM Phase I ESA necessary for all multifamily and non-residential properties
- Recommend a Vapor Encroachment Screen ASTM E 2600-10 – "Standard Guide for Vapor Encroachment Screening"
- If the Phase I ESA and vapor encroachment screen do not identify recognized environmental concerns (RECs), compliance with Part 58.5(i)(2) is complete
- Note that : ***Phase I ESA's do not fulfill Part 58, Subpart E Environmental Assessment Requirements.***

Including a Vapor Encroachment Screen In Addition to the Phase I is Important Because

- Not always identified as REC in Phase I
- Volatile chemicals in contaminated soil or groundwater that “off-gas” and migrate into the indoor air of structure
- Long-term exposure could result in cancer and other health effects
- HUD’ Multifamily Housing Program routinely requires Vapor Encroachment Screen in addition to a Phase I

If Recognized Environmental Conditions (REC) Are Identified

- A Phase II is necessary to confirm the presence and type of RECs.
- If the Phase II identifies contamination, a Phase III ESA is necessary to identify the extent of contamination and methods of removal and treatment.

In Evaluating the Phase I….

- It is important to read, evaluate and understand 3rd party reports – don't judge the report by its cover
- Ensure the Phase I meets ASTM standards:
  - Require due diligence be fully performed per ASTM Phase I ESA - Standard E 1527-05
  - Require Environmental Professional (EP) follow report format specified at Appendix X4 of ASTM Standard E 1527-05
  - Use a checklist to determine completeness of Phase I
  - Obtain and use copy of the ASTM E 1527-05 standard

In Reviewing a Phase I…

- Ensure report is complete - Go back to environmental professional or applicant for more information or clarification
- Concur with Phase I – if satisfied with findings and conclusions.
- Don’t concur if you believe that an REC is present that the Phase I did not identify
- If Phase I indentifies RECs—require Phase II that addresses all RECs

Beware When

- A Phase I doesn't:
  - Include interviews; or,
  - Identify data gaps
- When a Phase I make incongruent statements such as:
  - "Site does not meet any of the environmental criteria listed under the National Environmental Protection Act (NEPA) therefore no additional Environmental Assessment is required"
  - Report is "in conformity with Code of Professional Ethics of the Environmental Assessment Association"
  - Performance of Phase I…"exceeds the scope of ASTM E 1527-00…no recognized environmental conditions"

Question Findings When They Are Undocumented

- 10 LUST sites within search area "do not adversely impact the subject site" **Ask *Why? Up or down-gradient? How far? Basis for opinion?... And, now, what about vapor intrusion?***
- The subject property is located near and adjacent to an area with six recognized environmental concerns. No further investigation is recommended at this time. ***Ask: There are REC's, why wasn't a Phase II recommended?***

Question When Statements Don't Align with Evidence

"…no evidence of lead containing paint observed…"

"...no evidence of asbestos containing materials…"

"No visual evidence was seen of mold or mildew of any type…"

OPTIONS FOR ADDRESSING A PROPOSED PROJECT LOCATED ON A CONTAMINATED SITE

Options for Addressing a Proposed Project Located on a Contaminated Site

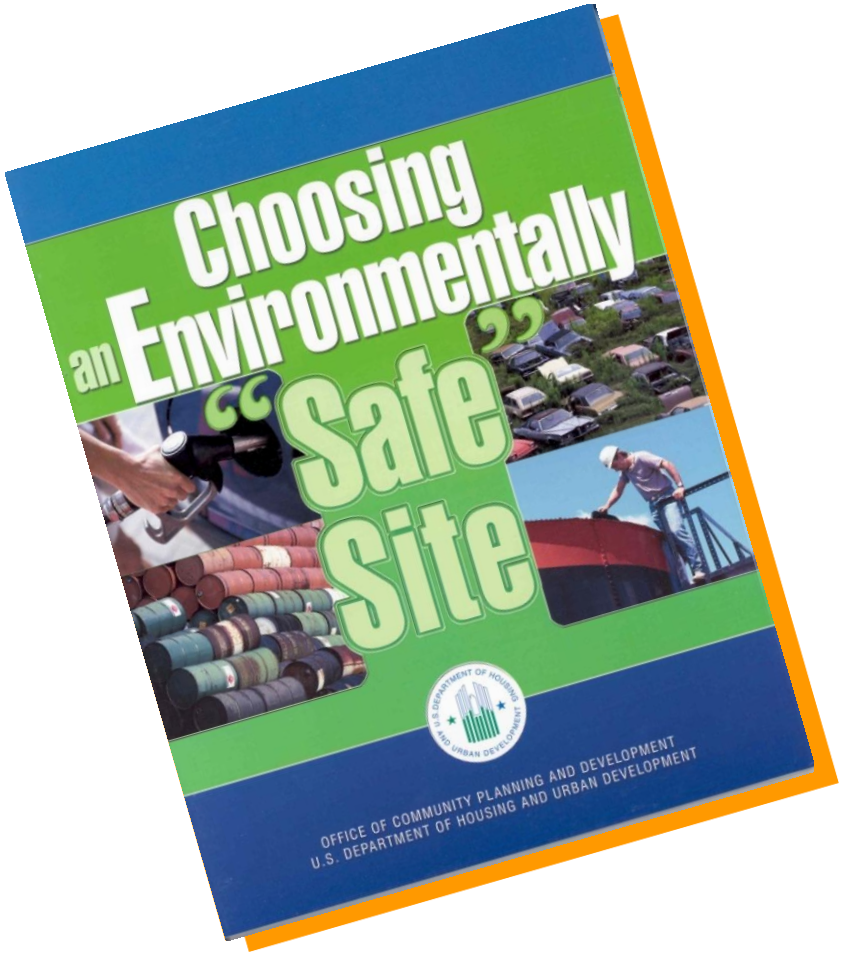
- Choose alternative site
- Remediate Site
  - Requires Full Site Assessment and Plan
  - Feasibility Study
  - Remediation Plan
  - Assurance of funds to cover remediation
- If remediation is not feasible, reject project

DOCUMENTATION FOR THE ERR

Documentation Required for the ERR

- Maps with sites and distances clearly identified with respect to the proposed project site
- Summary report of findings and conclusions for each identified facility of concern
- Facility reports showing:
  - compliance with permits
  - documenting that there are no releases or threatened releases
- Written correspondence or notes to file of documenting opinions of federal, state, tribal or local officials that the facility does not pose a risk of release to the proposed project site
- Field Site Visit Reports
  - With photos of the property and adjoining properties
  - Signed by the preparer
- Phase I, Phase II, Phase III Reports
- Remediation Plans
- Conditions and mitigation measures must be included on HUD Form 7015.15 in the Project Description Section

Useful Resource: Choosing an Environmentally Safe Site



Guidance designed to assist sponsors or owners participating in the Multifamily Housing Section 202 and Section 811 programs, as well as other HUD program participants, grant recipients, and Responsible Entities considering sites that may have environmental risks.

September 2006

Lead Based Paint Regulations

Lead Based Paint Regulation 24 CFR Part 35

- *Part 35 Regulation can be found at:*
  - *http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12347.pdf*

- *CPD overview of Lead Based Paint Rule can be found at:*

  portal.hud.gov/hudportal/documents/huddoc?id=DOC_16464.ppt

SUMMARY OF LEAD-BASED PAINT REQUIREMENTS BY ACTIVITY

	Rehabilitation (Subpart J)			TBRA (Subpart M)	A,L,SS,O (Subpart K)
	≤ $5,000	$5000-$2500	>$25,000		Homebuyer and Special Needs*
Approach to Lead Hazard Evaluation and Reduction	1. Do no harm	3. Identify and control lead hazards	4. Identify and abate lead hazards	2. Identify and Stabilize deteriorated paint	2. Identify and Stabilize deteriorated paint
Notification	Yes	Yes	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing (of surfaces to be disturbed)	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment	Visual Assessment	Visual Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Abatement (Interim Controls on exterior surfaces not disturbed by rehabilitation	Paint Stabilization	Paint Stabilization
	Safe work practices Clearance	Safe work practices Clearance	Safe work practices Clearance	Safe work practices Clearance	Safe work practices Clearance
Ongoing Maintenance	For HOME rental only	For HOME rental only	For HOME rental only	Yes	Yes (If ongoing relationship)
EIBLL Requirements	No	No	No	Yes	No
Options	Presume lead-based paint Use safe work practices on all surfaces	Presume lead-based and/or hazards Use Standard treatments	Presume lead-based and/or hazards Abate all applicable surfaces	Test deteriorated paint Use safe work practices only on lead-based paint surfaces	Test deteriorated paint Use safe work practices only on lead-based paint surfaces

- Special Needs Housing may be subject to the requirements of Subpart J, M, or K depending on the nature of the assistance provided. However, since most special needs housing involves acquisition, leasing, support services, and operations, for the purposes of this table, it has been placed in this column.

HUD Region VI Lead Contact

Jonnette Hawkins Simmons

Healthy Homes Rep. Regions IV and VI
Office of Healthy Homes & Lead Hazard Control
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40 Marietta Street, 15th Floor
Five Points Plaza
Atlanta, GA 30303-2806
Jonnette.G.Hawkins@hud.gov
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Thank You!